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**SCULLY, SCOTT, MURPHY  
& PRESSER, P.C.**

**Fax**

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To:	Examiner Patrick A. Darno	From:	Steven Fischman, Esq.
Fax:	571-273-8300	Pages:	18 (including fax cover sheet)
Phone:		Date:	April 17, 2006
Re:	Russell L. Lewis U.S. Serial No. 10/619,634 Docket: TUC920030028US1 (16472)	CC:	

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**RESPONSE UNDER 37 C.F.R. §1.111**

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**COMMENTS:**

Transmitted herewith are the following:

1. Amendment Transmittal letter (in duplicate)
2. Response Under 37 C.F.R. §1.111 (13 pages)
3. Certificate of Transmission by Facsimile, dated April 17, 2006 (in duplicate)

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APR 17 2006

## CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Russell L. Lewis

Docket No.

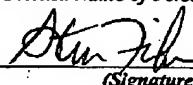
TUC920030028US1 (16472)

Application No.  
10/619,634Filing Date  
July 15, 2003Examiner  
Patrick A. DarnoGroup Art Unit  
2163

Invention: DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO  
 CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING  
 GARBAGE COLLECTOR

I hereby certify that this Amendment and Response Under 37 C.F.R. Sec. 1.111  
*(Identify type of correspondence)*  
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 on April 17, 2006  
*(Date)*

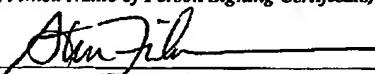
Steven Fischman  
*(Typed or Printed Name of Person Signing Certificate)*

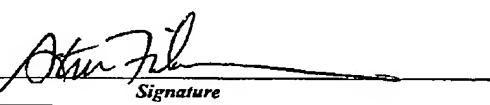


(Signature)

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APR 17 2006

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): Russell L. Lewis				Docket No. <b>TUC920030028US1 (16472)</b>
Application No.	Filing Date	Examiner	Group Art Unit	
10/619,634	July 15, 2003	Patrick A. Darno	2163	
Invention: DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR				
I hereby certify that this <u>Amendment and Response Under 37 C.F.R. Sec. 1.111</u> <small>(Identify type of correspondence)</small> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u> ) on <u>April 17, 2006</u> <small>(Date)</small>				
<u>Steven Fischman</u> <small>(Typed or Printed Name of Person Signing Certificate)</small>  <small>(Signature)</small>				
<b>Note: Each paper must have its own certificate of mailing.</b>				

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>				Docket No. <b>TUC 920030028 US1 (16472)</b>	
Applicant(s): <b>Russell L. Lewis</b>					
Application No. <b>10/619,634</b>	Filing Date <b>July 15, 2003</b>	Examiner <b>Patrick A. Darno</b>	Customer No. <b>23389</b>	Group Art Unit <b>2163</b>	Confirmation No. <b>1229</b>
Invention: <b>DEPTH COUNTER USED TO REDUCE NUMBER OF ITEMS TO CONSIDER FOR LOOP DETECTION IN A REFERENCE-COUNTING GARBAGE COLLECTOR</b>					
<b>COMMISSIONER FOR PATENTS:</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	17 -	17 =	0	x	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					\$0.00
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0449/IBM</p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038.</p>					
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>					
 <i>Steven Fischman</i> <i>Signature</i>					
<b>Dated: April 17, 2006</b>					
<div style="border: 1px solid black; padding: 5px;"> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p> <p>(Date) _____</p> </div>					
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<div style="border: 1px solid black; padding: 5px;"> <p><i>Typed or Printed Name of Person Mailing Correspondence</i></p> </div>					

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>TUC 920030028 US1 (16472)</b>	
Applicant(s): <b>Russell L. Lewis</b>						
Application No. <b>10/619,634</b>	Filing Date <b>July 15, 2003</b>	Examiner <b>Patrick A. Darno</b>	Customer No. <b>23389</b>	Group Art Unit <b>2163</b>	Confirmation No. <b>1229</b>	
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<b><u>COMMISSIONER FOR PATENTS:</u></b>						
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The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
<b>TOTAL CLAIMS</b>	<b>17 -</b>	<b>17 =</b>	<b>0</b>	<b>x</b>	<b>\$0.00</b>	
<b>INDEP. CLAIMS</b>	<b>3 -</b>	<b>3 =</b>	<b>0</b>	<b>x</b>	<b>\$0.00</b>	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					<b>\$0.00</b>	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<p><input checked="" type="checkbox"/> No additional fee is required for amendment.</p> <p><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____</p> <p><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <b>09-0449/IBM</b></p> <p><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</p> <p><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038.</p>						
<p><b>: WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>						
 <i>Signature</i>						
<p>Dated: <b>April 17, 2006</b></p>						
<p>Steven Fischman Registration No. 34,594 <b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b> 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343</p>						
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Russell L. Lewis

Examiner: Patrick A. Darno

Serial No.: 10/619,634

Art Unit: 2163

Filed: 7/15/2003

Docket: TUC900230028US1 (16472)

For: DEPTH COUNTER USED TO REDUCE  
NUMBER OF ITEMS TO CONSIDER  
FOR LOOP DETECTION IN A  
REFERENCE-COUNTING GARBAGE  
COLLECTOR

Dated: April 17, 2006

Conf. No.: 1229

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111

Sir:

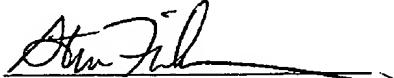
This document is submitted in response to the Non-Final Office Action mailed January 18, 2006. No new matter has been introduced.

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: April 17, 2006



Steven Fischman